



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

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COMMISSIONER

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October 16, 2015

Via First Class and Electronic Mail to Pragati.Srivastava@memphistn.gov

Memphis Metropolitan Planning Organization

c/o Pragati Srivastava

125 N Main Street, Suite 450

Memphis, TN 38103

Dear Pragati Srivastava:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the Memphis Metropolitan Planning Organization (MPO) *Draft Livability 2040: Regional Transportation Plan (RTP)*. The Draft RTP serves as a regional plan to guide the expenditure of federal transportation funds for all modes of transportation over the next 25 years. The Draft RTP, an update of the Direction 2040 Long Range Transportation Plan,¹ establishes the purpose and need for major transportation investments, identifies activities to address major transportation and growth issues, and prioritizes investments to improve system condition and performance. While TDEC reviewed the Draft RTP in its entirety, particular attention was paid to the Environmental Consultation and Mitigation section given TDEC's role as the primary environmental regulatory and natural resources agency within the State of Tennessee.

TDEC's **Division of Water Resources (DWR)** has reviewed the Draft RTP has no specific comments regarding the proposed plan at this time.

TDEC's **Division of Natural Areas (DNA)** has reviewed the Draft RTP and has no specific comments regarding the proposed plan. Memphis MPO plans to partner with local, state, and federal resource agencies early in the planning process to identify potential issues related to the environment and, at that time, DNA can review individual transportation projects and provide specific comments.

Staff representing TDEC's **Tennessee State Parks and Real Property Management** has reviewed the Draft RTP and has no specific comments regarding the proposed plan at this time.

TDEC's **Division of Air Pollution Control (APC)** has reviewed the Draft RTP and provides the following comments:

- APC notes that the Congestion Mitigation and Air Quality (CMAQ) program funding is only available to areas in nonattainment or maintenance for ozone,² carbon monoxide, and/or particulate matter (Section 7.2.1).³

¹ Adopted on February 23, 2012.

² The U.S. Environmental Protection Agency (EPA) lowered the standard for ground-level ozone from 75 parts per billion to 70 parts per billion on October 1, 2015. State recommendations of attainment areas will be due in October 2016 based upon 2013-2015 data. EPA final designations will likely occur in October 2017 based on 2014-2016 ozone data.

- Travel Demand and Model Enhancements states that five key changes to the modeling framework were implemented, but APC notes that only four changes were included in this section of the Draft RTP (Section 1.5).
- Summary of Plan Performance, in Relation to Key Performance Measure Categories, a Conformity Determination Report is mentioned and APC recommends that the Conformity Determination Report be included in the RTP (Table 9.1).

Given the concern over the New Madrid Fault Zone and the severe impact it could have on Memphis should a major earthquake occur, TDEC recommends that Memphis MPO coordinate with the Tennessee Emergency Management Agency (TEMA)⁴ to address potential impacts and critical evacuation routes in the RTP.

TDEC appreciates the opportunity to comment on the Draft RTP. Please note that these comments are not indicative of approval or disapproval of the proposed plan, nor should they be interpreted as an indication of all necessary permits that may be required from TDEC should action be taken. Please contact me should you have any questions regarding these comments.

Sincerely,



Michelle Walker Owenby
Assistant Commissioner of Policy and Planning
Phone: (615) 532-9668

cc: Jim Sutherland, TDEC, DWR
Stephanie Williams, TDEC, DNA
Bill Avant, TDEC, TSP
Lacey Hardin, TDEC, APC
Kendra Abkowitz, TDEC, POL

³ Those states that have no nonattainment or maintenance areas may still receive a minimum apportionment of CMAQ funding for either air quality projects or other elements of flexible spending. Additional information is available at http://www.fhwa.dot.gov/environment/air_quality/cmaq/.

⁴ TEMA coordinates earthquake preparedness planning for the region in conjunction with local emergency management agencies.